

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JONATHAN LEE RICHES,)
)
Plaintiff,)
)
vs.) No. 4:09-CV-826- CDP
)
MAXIM MAGAZINE,)
)
Defendant.)

ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. Plaintiff, an inmate at the Lexington Federal Medical Center in Lexington, Kentucky, is a well known filer of frivolous lawsuits in federal courts across the nation. See, e.g., Riches v. Bowie, 3:08-CV-30-FPS-JSK (N.D. W. Va.) (noting that the United States Courts Pacer U.S. Party/Case Index lists Jonathan Lee Riches as having filed 989 actions between February 2006 and February 2008); see also Riches v. Corzo, No. 4:09-CV-320-DJS (E.D.Mo.) (denying plaintiff in forma pauperis status because he had achieved more than three strikes). Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

After reviewing the complaint, the Court finds no allegations indicating that plaintiff is in imminent danger of serious physical injury. As a result, the

Court will deny the motion to proceed in forma pauperis and dismiss this action without prejudice to refiling as a fully paid complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. #2] is **DENIED**.

IT IS FURTHER ORDERED that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 4th day of June, 2009.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE